

Art Unit: 3738

The reply filed on July 23, 2009, is not fully responsive to the prior Office Action because of the following omission or matter:

The Applicant now asserts that U.S. patent application serial no. 10/114,675 is (directly) a continuation-in-part of U.S. patent application serial no. 08/603,676, but the examiner is unable to find (and the Applicant has not provided) evidence in the file of 10/114,675 that such is the case. As noted in MPEP § 201.11 III A, merely stating that one application “claims priority to” another does not comply with 35 U.S.C. 120 and 37 CFR 1.78(a)(2)(i), because the relationship between the applications is not stated. Attention is directed to MPEP § 1002.02(b) with regard to the possibility of petitioning to revise the relationships among applications in an abandoned application. If the Applicant is unable to resolve this issue prior to the next Office action on the merits, the effective invention date will be taken as October 23, 1996.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Willse, whose telephone number is 571-272-4762 and who is generally available Monday, Tuesday, and Thursday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine McDermott, can be reached on 571-272-4754. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

**/David H. Willse/
Primary Examiner
Art Unit 3738**